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09/675,258	09/28/2000	Nobuyoshi Morimoto	5596-00400	1180

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EXAMINER
NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
2171	

DATE MAILED: 04/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _13 January 2003_ .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-5,7-23,28,41,42,44-47,49-51 and 53-74_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-5,7-23,28,41,42,44-47,49-51 and 53-74_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _28 September 2000_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   In response to the communication dated 01/13/2003, claims 1-5, 7-23, 28, 41, 42, 44-47,

49, 50-51, and 53-74 are active in this application.

Acknowledges

2.   Receipt is acknowledged of the following items from the Applicant:

- o   The applicant's amendments have been considered and made of record as Paper

    No. 6.

- o   Information Disclosure Statement (IDS) filed on 09/28/2000 and made of record

    as Paper No. 2, 3, 4, and 7. The references cited on the PTO 1449 form have been

    considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-4, 7-11, 13-15, 22, 23, 28, 41-42, 50, 55-56, 58-62, 67, 69-70, and 74 are

rejected under 35 U.S.C. 102(b) as being anticipated by Theimer (US 5,627,517).

Regarding claim 1, Theimer discloses a method for shipping goods (See Figure 3,

    Theimer et al), wherein the method comprises:

- a central server (106, Fig. 3)[1] receiving via a network[2] (See Fig. 3) a request to ship an item from an origination to a final destination (See col. 4, lines 1-7);

- the central server searching a database for a most inexpensive routing (See col. 9, lines 30-45), wherein the most inexpensive routing includes using two or more different shipping companies (See col. 9, lines 37-56) and one or more intermediate destinations (See col. 8, lines 16-20);

- the central server generating a data file (See col. 8, lines 14-20) comprising at least the following:

  o intermediate destination information identifying the one or more intermediate destinations (See col. 8, lines 17-18), and

  o final destination information identifying the final destination (See col. 8, lines 19-20, "Zimbadwe"); and

- the central server transferring the data file over a network (See Fig. 3, and col. 7, lines 45-67); and

- storing the data file in a memory device that accompanies the item (See col. 8, lines 15-16).

Regarding claim 2, Theimer discloses the memory device is configured to allow the data file to be updated at one or more of the intermediate destinations (See col. 8, lines 33-43).

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[1] Please note that server, as defined by Meriam-Webster Dictionary, is one that serves legal processes upon another. Therefore, transceiver can broadly read as a central server as receiving and transmitting data processes.

Regarding claim 3, Theimer discloses packing the item in a container for shipping,

wherein the container is configured to fit with multiple other containers in a carrier (See col. 7,

lines 45-48).

Regarding claim 4, Theimer discloses forwarding copies of at least a portion of the data

file via the network[3] to one or more parties involved in the shipping, wherein the parties include

at least an originator of the request to ship the item, a recipient of the item at the final

destination, and two or more shipping companies (See col. 7, lines 52-67).

Regarding claim 7, Theimer discloses shipping the item using the least expensive routing

(See col. 9, lines 50-56).

Regarding claim 8, Theimer discloses:

- packing the item in a container (See col. 7, lines 45-48);

- inserting the container in a first carrier with a first set of additional containers

  bound for a first of the one or more intermediate destinations (See col. 7, lines 45-

  48); and

- shipping the first carrier to the first intermediate destination (See col. 7, lines 64-

  67).

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[2] Please not that network, as defined by Meriam-Webster Dictionary, is a system of lines or channels resembling a network or a system of computers, terminals, and databases connected by communications lines. Therefore, Figure 3 exists a network doing broadcasts (See col. 4, lines 1-7).

[3] Please not that network, as defined by Meriam-Webster Dictionary, is a system of lines or channels resembling a network or a system of computers, terminals, and databases connected by communications lines. Therefore, Figure 3 exists a network doing broadcasts (See col. 4, lines 1-7).

Regarding claim 9, Theimer discloses:

- receiving the carrier at the first intermediate destination (See col. 8, lines 20-22);

- removing the container from the carrier (See col. 8, lines 22-23);

- inserting the container into a different carrier with a second set of additional containers bound for a second intermediate destination or the final destination (See col. 8, lines 22-23); and

- shipping the second carrier to the second intermediate destination or the final destination (See col. 8, lines 23-24).

Regarding claim 10, Theimer discloses the data file further comprises contact information for one or more shipping companies that will handle the item (See col. 7, lines 21-41).

Regarding claim 11, Theimer discloses storing the data file on a server connected to the network, wherein the server provides access to the data file via the network (See col. 7, lines 13-20).

Regarding claim 13, Theimer discloses the data file further comprises item handling information (See col. 3, lines 28-39).

Regarding claim 14, Theimer discloses the data file further comprises item content information (See col. 9, lines 12-15).

Regarding claim 15, Theimer discloses wherein the data file further comprises payment

information (See col. 10, lines 1-15).

Regarding claim 22, Theimer discloses the memory device is coupled to a wireless

communications device (See col. 6, line 63 to col. 7, line 5).

Regarding claim 23, Theimer discloses:

- detecting one or more obstacles to on-time delivery of the item, searching the

  database for a new least expensive routing that avoids the obstacles (See col. 9,

  lines 15-22); and

- updating the data file to reflect the new least expensive routing (See col. 9, lines

  23-28).

Regarding claim 28, Theimer discloses updating the data file on the central server to

reflect arrival of the item at one or more of the intermediate destinations (See col. 8, lines 33-43,

Theimer et al.).

Regarding claims 41 and 42, Theimer discloses the memory device is a flash memory

device and the memory device is a CD-RW when Theimer shows an active memory, which

associated with microprocessor (See col. 8, lines 15-16, Theimer et al.). The memory in Theimer

system clearly includes a flash memory device and CD_RW.

Regarding claim 50, Theimer, in view of Shavit, discloses a computer program is configured to:

- receive a shipping request via a network [4] (See Fig. 3) for an item to be shipped from an origination to a final destination (See col. 4, lines 1-7, Theimer et al.).

- search a database of shipping information (See col. 9, lines 30-45, Theimer et al.);

- generate a data file (See col. 8, lines 14-20) comprising at least the following:

  a unique item identifier (See col. 6, lines 41, Theimer et al.),

  origination information (See col. 8, lines 21-24, Theimer et al.),

  intermediate destination information (See col. 8, lines 17-18, Theimer et al.), and

  final destination information (See col. 8, lines 19-20, Theimer et al.); and

- store the data file in a memory device that accompanies the item (See col. 8, lines 15-16, Theimer et al.), wherein the memory device is configured to allow the data file to be updated at one or more of the intermediate destinations (See col. 8, lines 33-43, Theimer et al.).

- selecting a shipping route for the item based on the shipping information included in the database (See col. 9, lines 30-45, Theimer et al.), wherein the shipping route comprises one or more intermediate destinations (See col. 8, lines 16-20, Theimer et al.) and uses two or more different shipping (See col. 8, lines 16-20);

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[4] Please not that network, as defined by Meriam-Webster Dictionary, is a system of lines or channels resembling a network or a system of computers, terminals, and databases connected by communications lines. Therefore, Figure 3 exists a network doing broadcasts (See col. 4, lines 1-7).

- confirm the selected shipping route via a network (See col. 9, lines 54-56);

Regarding claim 50, Theimer discloses a system comprising:

- a database of shipping information (230, Fig. 2, and col. 8, lines 14-20);

- a central server (202, Fig. 2) coupled to the database and configured to selected a

  shipping route for an item in response to querying the database (See col. 4, lines

  1-7), wherein the central server is configured to generate a data file (See col. 8,

  lines 14-20) including information identifying an origination (See col. 8, lines 21-

  24), destination (See col. 8, lines 19-20), and intermediate destinations comprised

  in the shipping route (See col. 8, lines 17-18); and

- a memory device configured to be coupled to the item and configured to receive

  and store a copy of the data file generated by the central server (See col. 8, lines

  15-16).

Regarding claim 55, Theimer discloses the central server is configured to confirm the

shipping route prior to providing the data file to the memory device (See col. 9, lines 54-56).

Regarding claim 56, Theimer discloses the central server is configured to receive

confirmation of arrival of the item at the destination and to responsively update the data file to

indicate that the item has arrived at the intermediate destination (See col. 8, lines 33-43).

Regarding claim 58, Theimer discloses the central server is configured to search the

database for a less expensive shipping route from the intermediate destination to the final

destination in response to the item arriving at the intermediate destination (See col. 9, lines 30-

45).

Regarding claim 59, Theimer discloses a processing apparatus located at the intermediate

destination, wherein the processing apparatus is configured to update the data file stored on the

memory device in response to the item arriving the intermediate destination (See col. 8, lines 33-

43).

Regarding claim 60, Theimer discloses the central server is configured to select a least

expensive shipping route (See col. 9, lines 36-37).

Regarding claim 61, Theimer discloses the data file further comprises contact information

for one or more shipping companies that will handle the item along the shipping route (See col.

7, lines 21-41).

Regarding claim 62, Theimer discloses the central server is configured to provide access

to the data file via the network (See Fig. 3).

Regarding claim 67, Theimer discloses the central server is configured to detect one or

more obstacles to on-time delivery of the item, to responsively search the database for a new

least expensive routing that avoids the one or more obstacles (See col. 9, lines 15-22, Theimer et

al.); and to update the data file to indicate the new least expensive routing (See col. 9, lines 23-

28).

Regarding claim 69, Theimer discloses the central server is configured to update the data

file to reflect arrival of the item at the final destination (See col. 8, lines 33-43).

Regarding claims 70 and 74, Theimer discloses the item is included in a group of items,

and wherein the central server is configured to select different shipping routes on which to ship

different subsets of the groups of items (See col. 7, lines 45-48).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 5, 49, and 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Theimer (US 5,627,517).

Regarding claims 5 and 57, Theimer discloses all the claimed subject matter as set forth

above, however, Thiemer is silent as to teaching forward copies of the data file via the network

to one or more predetermined email addresses. It would have been obvious to one of ordinary

skill in the art to forwarding copies of data file using email since email is the fastest way to communicate.

Regarding claim 49, Theimer does not explicitly disclose updating the data file on the server to reflect the item's arrival at the final destination. However, it's well known in the art to updating data file on the server to reflect the item's arrival at the final destination in order to provide up to date information to all parties.

5.   Claims 12, 16, 17, 63-65, and 71-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US 5,627,517), in view of Ross (US 6,332,098).

Regarding claims 12 and 63, Theimer discloses all the claimed subject matter as set forth above, except Theimer is silent as to teaching the data file further comprises item weight information. On the other hand, Ross et al. teaches the data file comprising item weight information (See col. 3, line 67 to col. 4, line 4, Ross et al.). It would have been obvious to one of ordinary skill in the art to include item weight information in the data file of Theimer since having information of item weight in the data file facilitates efficient and economic loading and transporting items, as suggested by Ross.

Regarding claims 16 and 64, Theimer discloses all the claimed subject matter as set forth above, except Theimer is silent as to teaching the data file further includes one or more digital images of the item before, during, or after shipping. On the other hand, Ross discloses digital images of the item (See Fig. 10, 'digital images', and col. 7, lines 12-13, and col. 10, lines 13-18,

Ross et al.). It would have been obvious to one of ordinary skill in the art to include one or more

digital images in the data file of Theimer since having images of item help identifying the

condition of item easily, as suggested by Ross.

Regarding claims 17 and 65, Theimer discloses all the claimed subject matter as set forth

above, except Theimer is silent as to teaching the data file further includes one or more digital

images of the item showing the physical condition of the item upon receipt at one or more

intermediate destinations. On the other hand, Ross discloses digital images of the item (See Fig.

10, 'digital images', and col. 7, lines 12-13, and col. 10, lines 13-18, Ross et al.). It would have

been obvious to one of ordinary skill in the art to have digital images of the item showing the

physical condition of the item upon receipt at one or more intermediate destinations in order to

enhance shipping process and customers' satisfaction, as suggested by Ross.

Regarding claim 71, Theimer/Ross discloses:

- receiving a request to ship an item from an origination to a final destination (See
  col. 4, lines 1-7);

- searching a database for a most inexpensive routing (See col. 9, lines 30-45),
  wherein the most inexpensive routing includes using two or more different
  shipping companies (See col. 9, lines 37-56) and one or more intermediate
  destinations (See col. 8, lines 16-20);

- generating a data file (See col. 8, lines 14-20) comprising at least the following:

- intermediate destination information identifying the one or more

  intermediate destinations (See col. 8, lines 17-18),

- one or more digital images of the item before, during, or after shipping as

  addressed above in claim 16, and

- final destination information identifying the final destination (See col. 8,

  lines 19-20, "Zimbadwe"); and

- storing the data file in a memory device that accompanies the item (See col. 8,

  lines 15-16).

Regarding claim 72, Theimer/Ross discloses:

- receiving a request to ship an item from an origination to a final destination (See

  col. 4, lines 1-7);

- searching a database for a most inexpensive routing (See col. 9, lines 30-45),

  wherein the most inexpensive routing includes using two or more different

  shipping companies (See col. 9, lines 37-56) and one or more intermediate

  destinations (See col. 8, lines 16-20);

- generating a data file (See col. 8, lines 14-20) comprising at least the following:

  - intermediate destination information identifying the one or more

    intermediate destinations (See col. 8, lines 17-18),

  - one or more digital images of the item showing the physical condition of

    the item upon receipt at one or more intermediate destinations as

    addressed above in claim 17, and

      o final destination information identifying the final destination (See col. 8,

lines 19-20, "Zimbadwe"); and

- storing the data file in a memory device that accompanies the item (See col. 8,

lines 15-16).

6.   Claims 18, 20-21, and 66 stand rejected under 35 U.S.C. 103(a) as being unpatentable

over Theimer (US 5,627,517), in view of Welles (US 5,686,888).

Regarding claim 18, Theimer discloses all the claimed subject matter as set forth above,

however, Theimer is silent as to teaching the memory device further comprises a temperature

sensor, wherein the temperature sensor is configured to periodically measure and store

temperature readings in the data file. On the other hand, Welles discloses a temperature sensor

(See Fig. 4, temp sensor 110, and col. 5, lines 41, Welles et al.), wherein the temperature sensor

is configured to periodically measure and store temperature readings in the data file (See col. 6,

lines 29-34, Welles et al.). It would have been obvious to one of ordinary skill in the art to

include the temperature sensor of Welles in the memory device of Theimer, and to store

temperature readings in the data file. The motivation would have been to monitor environmental

effects on items.

Regarding claims 20 and 66, Theimer discloses all the claimed subject matter as set forth

above, however, Theimer is silent as to teaching the memory device further comprises an

environmental sensor, wherein the environmental sensor is configured to periodically measure

and store in the data file information about one or more environmental factors that the item experiences during shipment. On the other hand, Welles discloses environmental sensor (See col. 5, lines 39-43, Welles et al.), wherein the environmental sensor is configured to periodically measure and store in the data file information about one or more environmental factors that the item experiences during shipment (See col. 5, lines 41-47, Welles et al.). It would have been obvious to one of ordinary skill in the art to include the environmental sensor of Welles in the memory device of Theimer. The motivation would have been to monitor environmental effects on items.

Regarding claim 21, Theimer, discloses all the claimed subject matter as set forth above, however, Theimer is silent as to teaching the memory device further comprises a vibration sensor, wherein the vibration sensor is configured to record any vibrations greater than a preprogrammed threshold in the data file. On the other hand, Welles discloses a vibration sensor (See col. 6, lines 16-17, Welles et al.), wherein the vibration sensor is configured to record any vibrations greater than a preprogrammed threshold in the data file (See col. 5, lines 57-61, Welles et al.). It would have been obvious to one of ordinary skill in the art to include a vibration sensor of Welles in the memory device of Theimer. The motivation would have been to monitor environmental effects on items.

7. Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer (US 5,627,517), in view of Wortham (US 5,999,091).

Regarding claim 19, Theimer, discloses all the claimed subject matter as set forth above,

however, Theimer is silent as to teaching the memory device further comprises a humidity

sensor, wherein the physical humidity sensor is configured to periodically measure and store

humidity readings in the data file. On the other hand, Wortham discloses a humidity sensor (See

Fig. 2, humidity sensor 48, Wortham et al.). It would have been obvious to one of ordinary skill

in the art to include humidity sensor of Welles in the memory device of Theimer to measure

humidity readings and to store readings in the data file. The motivation would have been to

detect the humidity, which may effect items during shipping.

8.   Claims 44-47, 51, 54, 68, and 73 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Theimer (US 5,627,517), in view of Shavit (US 4,799,156).

Regarding claim 44, Theimer discloses all the claimed subject matter as set forth

above, however, Theimer is silent as to teaching the database include price information and

delivery time information. On the other hand, Shavit discloses price information and delivery

time information (See col. 26, lines 5-9, Shavit et al.). It would have been obvious to one of

ordinary skill in the art to include price information and delivery time information of Shavit in

the database of Theimer. The motivation would have been to enhancing customer's demands

satisfactions.

Regarding claim 45, Theimer, in view of Shavit, discloses:

- detecting one or more obstacles to on-time delivery of the item (See col. 9, lines

  15-22, Theimer et al.); Although Theimer, in view of Shavit, does not explicitly

disclose soliciting new quotations for shipping the item from one of the intermediate locations to the final destination by transmitting a supplemental request for quotation via the network, however, it is well known in the art as shown by Shavit to soliciting quotations for shipping the item (See col. 16, lines 54-56, Shavit et al.). Therefore, it would have been obvious to one of ordinary skill in the art to include the claimed feature of Shavit to soliciting new quotations from one of the intermediate locations to the final destination; and receiving responses to the supplemental request for quotation via the network (See col. 16, lines 56-60, Shavit et al.). The motivation would have been to provide alternative route for shipping the item at the intermediate locations so that providing best shipping services;

- selecting an alternate shipping route for the item based on the additional responses (See col. 17, lines 10-21, Shavit et al.);

- confirming the selected alternate shipping route via the network (See col. 17, lines 15-16, Shavit et al.);

Regarding claim 46, Theimer, in view of Shavit, discloses the obstacles include travel advisories for one or more of the intermediate locations (See col. 18, lines 19-22, Shavit et al.).

Regarding claim 47, Theimer, in view of Shavit, discloses the obstacles include shipping backlogs (See col. 9, lines 28-33, Theimer et al.).

Regarding claim 51, Theimer discloses all the claimed subject matter as set forth above, however, Theimer is silent as to teaching maintain and update the database by sending requests for quotes using the network. On the other hand, Shavit discloses maintain and update the database by sending requests for quotes using the network (See col. 40, claim 33, line 11, Shavit et al.). It would have been obvious to one of ordinary skill in the art to include the claimed feature of Shavit to maintain and update the database of Theimer by sending requests for quotes using the network as suggested by Shavit. The motivation would have been to provide alternative route for shipping the item at the intermediate locations so that providing best shipping services.

Regarding claim 54, Theimer discloses all the claimed subject matter as set forth above, however, Theimer is silent as to teaching the central server is configured to update the database in response to receiving one or more responses to a request for quote from one or more shipping companies. On the other hand, Shavit discloses update the database in response to receiving one or more responses to a request for quote from one or more shipping companies (See col. 16, lines 56-60, and col. 40, claim 33, line 11, Shavit et al.). It would have been obvious to one of ordinary skill in the art to include the claimed feature of Shavit to update the database of Theimer in response to receiving one or more responses to a request for quote as suggested by Shavit. The motivation would have been to choose the best shipping route for suppliers.

Regarding claim 68, Theimer discloses detecting the one or more obstacles (See col. 9, lines 15-22, Theimer et al.), and updating the database to reflect the responses the request (See

col. 9, lines 23-28, Theimer et al.); however, Theimer does not explicitly discloses the central

server is configured to request new quotations for shipping the item from an intermediate

destination to the final destination. On the other hand, Shavit teaches soliciting quotations for

shipping the item (See col. 16, lines 54-56, Shavit et al.).   Therefore, it would have been obvious

to one of ordinary skill in the art to include the claimed feature of Shavit to request new

quotations for shipping the item from an intermediate destination to the final destination; and to

responsively receive one or more responses the request via the network (See col. 16, lines 56-60,

Shavit et al.). The motivation would have been to provide alternative route for shipping the item

at the intermediate locations so that providing best shipping services;

Regarding claim 73, Theimer/Shavit discloses the central server updating the database in

response to said receiving the additional responses (See col. 9, lines 23-28, Theimer et al.)

Response to Arguments

Applicant's arguments filed on 01/13/03 about the claim rejection of the last Office

Action have been fully considered, but they are not persuasive.

Applicants argue that Theimer et al. does not teach or suggest the new amended

limitation of "central server" in the amended claim 1; however, the examiner point out that

reference 106 of Fig. 3 reads on Applications' "central server" as addressed above in the

rejection part.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 703-305-5177. The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MN
March 28, 2003

SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100